as appropriate, shall provide each Regular officer retiring hereafter, as part of the retirement check-out procedures, with clear instructions concerning the requirement under this instruction to report postretirement employment. These instructions should be combined, where applicable, with the instructions prescribed in SECNAVINST 5314.5A concerning the possible additional requirement to file reports of DOD and defense-related employment (DD Form 1787).

§ 721.13 Delegation of authority.

The General Counsel of the Navy is authorized to modify or supplement §§ 721.15, 721.16, and 721.17 of this instruction in a manner consistent with the policies set forth herein.

§ 721.14 Reports and forms.

(a) Symbol DD–SECNAV 5370–1 has been assigned to the Statement of Affiliations and Financial Interests Report submitted on form DD 1555. Symbol SECNAV 5370–2 has been assigned to the Financial Disclosure Report submitted on form SF 278.

(b) Forms are available as indicated:

(1) DD 1357, Statement of Employment (Regular Retired Officers), from Commanding Officer, Navy Finance Center, Cleveland, OH 44199;

(2) DD 1555, Confidential Statement of Affiliations and Financial Interests (DOD Personnel), stock number 0102–LF–001–550, from Ethics Counselor or through normal channels in accordance with NAVSUP P–2002;

(3) DD 1787, Report of DOD and Defense Related Employment, stock number 0102LF–025–5090, from Ethics Counselor or through normal supply channels in accordance with NAVSUP F–2002;

(4) OPM 1401, Request to Inspect or Review copies of SF 278, Financial Disclosure Report, from Ethics Counselor;

(5) SF 278, Executive Personnel Financial Disclosure Report, stock number 7540–01–070–8444, from Ethics Counselor or Local GSA Stores.

[50 FR 9007, Mar. 6, 1985; 50 FR 15892, Apr. 23, 1985]

§ 721.15 Digest of laws.

(a) *Conflict of interest laws applicable to present officers and employees*—(1) *18 U.S.C. 203.* This statute prohibits a Government employee from soliciting or receiving compensation for a representation by himself or another before any federal agency while he is a Government employee.

(2) *18 U.S.C. 205.* (i) This statute prohibits Government personnel from acting as agent or attorney for anyone else before a department, agency, or court in connection with any particular matter in which the United States is a party or has a direct and substantial interest.

(ii) The following exemptions are allowed:

(A) 18 U.S.C. 205 does not prevent Government personnel from giving testimony under oath or making statements required to be made under penalty of perjury or contempt or from representing another person, without compensation, in a disciplinary, loyalty, or other personnel matter.

(B) 18 U.S.C. 205 also authorizes a limited waiver of its restrictions and those of 18 U.S.C. 203 for the benefit of an officer or employee, including a special Government employee, who represents his or her own parents, spouse, or child, or a person or estate he or she served as a fiduciary. The waiver is available only if approved by the official making appointments to the position. In no event does the waiver extend to representation of any such person in matters in which the employee has participated personally and substantially or that, even in the absence of such participation, are the subject of his or her official responsibility.

(C) Finally, 18 U.S.C. 205 gives the head of a department or agency the authority to allow a special Government employee to represent his or her regular employer or other outside organization in the performance of work under a Government grant or contract if the department or agency head certifies and publishes in the FEDERAL REGISTER that the national interest requires such representation.

(3) *18 U.S.C. 208.* (i) Subsection (a) of 18 U.S.C. 208 requires executive branch personnel to refrain from participating in an official capacity in any particular matter in which they, their spouses, minor children, or partners